

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

IN RE: ZETIA (EZETIMIBE) ANTITRUST
LITIGATION

MDL No.2:18-md-2836

This document relates to:

Direct Purchaser Actions

NOTICE OF WITHDRAWAL OF MOTION TO COMPEL

Direct Purchaser Plaintiffs (DPP's) do hereby file this Notice of Withdrawal of their Motion to Compel Zydus Pharmaceuticals USA (Zydus) to Produce Documents (ECF doc. 257). DPP's served non-party Zydus with a subpoena to produce documents dated October 26, 2018, and received from Zydus objections on November 30, 2018. DPP's met and conferred with Zydus December 5, 2018 through April 22, 2019, filed a motion with the Court for an order compelling Zydus to produce certain responsive documents including transaction-level sales data on May 16, 2019, received a production of transaction-level sales data on June 13, 2019, and received a supplemental production June 27, 2019, satisfactorily answering questions from Plaintiffs' economic expert about the data. The foregoing being sufficient to resolve the motion to compel, DPP's do withdraw their previously filed Motion to Compel Zydus Pharmaceuticals USA to Produce Documents.

Dated: July 1, 2019

Respectfully submitted,

/s/ William H. Monroe, Jr

William H. Monroe, Jr. (VSB No. 27441)
Marc C. Greco (VSB No. 41496)
Kip A. Harbison (VSB No. 38648)
Michael A. Glasser (VSB No. 17651)
GLASSER AND GLASSER, P.L.C.
Crown Center, Suite 600
580 East Main Street
Norfolk, VA 23510
Telephone: (757) 625-6787
Facsimile: (757) 625-5959
bill@glasserlaw.com
marcg@glasserlaw.com
kip@glasserlaw.com
michael@glasserlaw.com

*Local Counsel for Direct Purchaser Plaintiffs
FWK Holdings, LLC, Rochester Drug
Cooperative, Inc., Cesar Castillo, Inc. and the
Proposed Direct Purchaser Class*

Thomas M. Sobol
Kristen A. Johnson
Edward Notargiacomo
Hannah Schwarzschild
Bradley Vettraino
HAGENS BERMAN SOBOL SHAPIRO LLP
55 Cambridge Parkway, Suite 301
Cambridge, MA 02142
Telephone: (617) 482-3700
Facsimile: (617) 482-3003
tom@hbsslaw.com
kristenj@hbsslaw.com
ed@hbsslaw.com
hannahs@hbsslaw.com
bradleyv@hbsslaw.com

*Lead Counsel for the Proposed Direct
Purchaser Class*

John D. Radice
RADICE LAW FIRM, P.C.
475 Wall Street
Princeton, NJ 08540
Tel.: (646) 245-8502
Fax: (609) 385-0745
jradice@radicelawfirm.com

Sharon K Robertson
Donna M. Evans
COHEN MILSTEIN SELLERS & TOLL PLLC
88 Pine Street, 14th Floor
New York, NY 10005
Tel: (212) 838-7797
Fax: (212) 838-7745
srobertson@cohenmilstein.com

Joseph M. Vanek
David P. Germaine
John P. Bjork
Paul E. Slater
Matthew T. Slater
SPERLING & SLATER, P.C.
55 W. Monroe, Suite 3200
Chicago, IL 60603
Telephone: (312) 641-3200
Facsimile: (312) 641-6492
jvanek@sperling-law.com
dgermaine@sperling-law.com
jbjork@sperling-law.com
pes@sperling-law.com
mslater@sperling-law.com

devans@cohenmilstein.com

Steve D. Shadowen
Matthew C. Weiner
HILLIARD & SHADOWEN LLP
1135 W. 6th Street, Suite 125
Austin, TX 78703
Tel.: (855) 344-3298
steve@hilliardshadowenlaw.com
matt@hilliardshadowenlaw.com
Joseph H. Meltzer
Terence S. Ziegler
KESSLER TOPAZ MELTZER & CHECK LLP
280 King of Prussia Road
Radnor, PA 19087
Telephone: (610) 667-7706
Facsimile: (610) 667-7056
jmeltzer@ktmc.com
tziegler@ktmc.com

Counsel for Plaintiff FWK Holdings, LLC and the Proposed Direct Purchaser Class

Linda P. Nussbaum
NUSSBAUM LAW GROUP, P.C.
1211 Avenue of the Americas, 40th Floor
New York, NY 10036-8718
Telephone: (917) 438-9189
lnussbaum@nussbaumpc.com

Jayne A. Goldstein
SHEPHERD, FINKELMAN, MILLER
& SHAH, LLP
1625 North Commerce Parkway, Ste. 320
Fort Lauderdale, FL 33326
Telephone: (954) 515-0123
Facsimile: (866) 300-7367
jgoldstein@sfmslaw.com

Counsel for Plaintiff Cesar Castillo, Inc. and the Proposed Direct Purchaser Class

David F. Sorensen
Zachary D. Caplan
BERGER & MONTAGUE, P.C.
1818 Market Street, Suite 3600
Philadelphia, PA 19103
Telephone: (215) 875-3000
Facsimile: (215) 875-4604
dsorensen@bm.net
zcaplan@bm.net

Barry Taus
Archana Tamoshunas
Kevin Landau
TAUS, CEBULASH & LANDAU, LLP
80 Maiden Lane, Suite 1204
New York, NY 10038
Telephone: (646) 873-7654
btaus@tcllaw.com
atamoshunas@tcllaw.com
klandau@tcllaw.com

Peter R. Kohn
Joseph T. Lukens
FARUQI & FARUQI, LLP
1617 John F. Kennedy Boulevard, Suite 1550
Jenkintown, PA 19103
Telephone: (215) 277-5770
Facsimile: (215) 277-5771
pkohn@faruqilaw.com
jlukens@faruqilaw.com

Bradley J. Demuth
FARUQI & FARUQI, LLP
685 Third Avenue, 26th Floor
New York, NY 10017
Telephone: (212) 983-9330
Facsimile: (212) 983-9331
bdemuth@faruqilaw.com

Counsel for Rochester Drug Cooperative, Inc. and the Proposed Direct Purchaser Class

CERTIFICATE OF SERVICE

I hereby certify that on July 1, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to all counsel of record who have made a formal appearance, and served a true and correct copy of the foregoing on Zydus Pharmaceuticals U.S.A., Inc., by United States mail and email, through counsel, Andy Miller, at Locke Lord LLP, 111 South Wacker Drive, Chicago, IL 60606.

Dated: July 1, 2019

/s/ William H. Monroe, Jr.

William H. Monroe, Jr. (VSB No. 27441)